

NAYS—none.

Bill read third time and passed by the following vote:

YEAS—26.

Buchanan,	Houston,	Peacock,
Chesley,	Johnson of Collin,	Perry,
Collins,	Johnston of Shelby,	Pfeuffer,
Cooper,	Jones,	Pope,
Davis,	King,	Randolph,
Evans,	Kleberg,	Shannon,
Farrar,	Martin,	Stratton,
Fleming,	Matlock,	Terrell.
Harris,	Patton,	

NAYS—none.

The consideration of Senate bill 36, was then resumed.

Senator Harris moved the previous question, on adoption of the minority report:

Motion seconded and main question ordered.

The Senate refused to adopt the minority report by the following vote:

YEAS—7.

Davis,	Matlock,	Shannon,
Evans,	Randolph,	Stratton.
Gibbs,		

NAYS—21.

Buchanan,	Harris,	Martin,
Chesley,	Houston,	Patton,
Collins,	Johnson of Collin,	Peacock,
Cooper,	Johnston of Shelby,	Perry,
Farrar,	Jones,	Pfeuffer,
Fleming,	King,	Terrell,
Getzendaner,	Kleberg,	Traylor.

On motion of Senator Harris, the majority report was adopted, which kills the bill.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following privileged report:

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bills Nos. 22, 23, and 34, and instruct me to report that they find said bills correctly engrossed.

MARTIN, Chairman.

The President laid before the Senate Senate joint resolution 15, "Joint resolution to amend section 9, article 8 of the Constitution of the State of Texas," with committee amendment. Committee amendment adopted.

Resolution ordered engrossed.

Senator Davis moved to reconsider the vote ordering resolution engrossed. Adopted.

Senator Davis offered the following amendment: Amend by striking out "50" and inserting "40."

Pending the amendment, Senator Peacock moved to postpone further consideration of the resolution, and that 100 copies, with amendments, be ordered printed. Adopted.

On motion of Senator Martin, the consideration of Senate joint resolution 15 was postponed and made special order for Saturday, immediately after roll call.

Senator Terrell, by permission, introduced a bill to be entitled "An act to amend title 11, chapter 3 of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed February 21, 1879."

Referred to Judiciary Committee No. 1.

The President laid before the Senate Senate bill No. 38, an act entitled "An act to diminish the jurisdiction of the county courts of certain counties, and to conform the jurisdiction of the district courts of such change." Bill read second time and ordered engrossed.

The President laid before the Senate Senate bill No. 41, "An act to amend articles 314 and 315, Penal Code." Bill read second time and ordered engrossed.

Senate bill No. 41, "An act entitled 'an act to provide for the payment of fees to county judges, justices of the

peace, sheriffs, constables, district and county attorneys, for services rendered in examining courts in felony cases," was taken up in regular order. Bill read second time and ordered engrossed.

On motion of Senator Kleberg, the Senate adjourned till ten o'clock a. m. to-morrow.

## TENTH DAY.

SENATE CHAMBER,  
AUSTIN, January 19, 1883.

The Senate met pursuant to adjournment. Lieutenant-Governor Martin in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Kleberg, the reading of yesterday's journal was dispensed with.

On motion of Senator Jones, the Secretary, William N. Ramey, was further excused for yesterday and to-day, on account of sickness in his family.

On motion of Senator Matlock, Senator Cooper was excused for to-day, on account of important business.

On motion of Senator Houston, Senator Johnston of Shelby was excused indefinitely, on account of sickness in his family.

Senator Matlock, chairman of Committee on Public Lands, submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Public Lands, to whom was referred Senate bill No. 90, a bill to be entitled "An act to repeal the law granting land certificates to veterans," have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do pass, for the reason that there are now more land certificates issued by the State which are unlocated than there is public lands to locate them upon.

MATLOCK, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Public Lands, to whom was referred Senate bill No. 66, entitled "An act confirming patents and surveys, by virtue of headright and bounty warrants issued under special laws enacted after March 31, 1870, and prior to April 17, 1876," have had the same under consideration and instruct me to report the same favorably and recommend it do pass, for the reason that the Constitution of 1869 contained a provision, section 6, article 10, prohibiting the granting of land except to actual settlers, in quantities not to exceed 160 acres. We find under this Constitution, from March 31, 1870, till the seventeenth day of April, 1876, when it was superseded by the present Constitution, which contains no such inhibition. The Legislature that assembled under the Constitution of 1869, believed that the constitution applied to future grants and did not apply to the soldiers and first settlers of Texas, who earned, by service in the army or by early settlement, grants for certain quantities of land, but who, from neglect or otherwise, had failed to apply for their certificates, which were but the evidence of their grants, while boards of land commissioners, county courts, and adjutant-generals were authorized to issue land certificates.

With these views of the Constitution the Legislature passed a number of special acts directing the Commissioner of the Land Office to issue land certificates to certain persons by name, the grantees having appeared before the Legislature and found that they had earned that amount of land, by military service or by settlement under existing laws, but had never obtained the lands to which they were entitled.

Those certificates were believed by the people to be good, and readily sold for a fair price, and have long since been located and patents have issued thereon, and the titles of many citizens to their homes were acquired in this way. The Supreme Court, at Tyler, a few weeks since, in the case of Bacon vs. Russell, from Denton county, in effect held that all such titles are void, on account of the above provision of the Constitution of 1869, in force at the time when such certificates were issued. Unless some relief is granted, many will lose their homes and others will lose lands for which they have paid the full value, relying upon the acts of the Legislature.

It is believed that Texas should not seek to profit by the misfortune of these men, but should now do what she once attempted to do, and would have done, but for the provision in the Constitution then in force—confirm their titles and grant to them their lands.

MATLOCK, Chairman.

Bill read first time.

Senator Chesley, chairman of Committee on Privileges and Elections, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, January 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Privileges and Elections, to whom was referred Senate bill No. 103, entitled "An act to amend section 7, chapter 76, of the act of 1879, entitled 'an act to give effect to section 2, article 9, of the Constitution, regulating the manner of removing and locating county sites, and to provide for the location of county seats in organized counties where no county seat has been established by law,'" have considered the same, and instructed me to report it back with the recommendation that it do pass.

The proposed amendment applies to the organization of new counties, and the object of the bill is to remedy a defect in the law, so that if there is a failure to select a county seat by the necessary majority vote in a new county, at the time of the election of county officers, another election may be held for that purpose, for which there appears to be no provision under existing statutes.

CHESLEY, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, January 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Privileges and Elections, to whom was referred Senate bill No. 85, to be entitled "An act to amend articles 1700, 1702, 1705, 1709 and 1710, of chapter 5, title 34, of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed February 21, 1879," have had the same under consideration, and instruct me to report the same back, with the recommendation that it do pass. The object of the bill is to shorten the time from the date of an election wherein the results shall be computed and ascertained.

The committee also instruct me to ask for the printing of 100 copies of this bill for the use of the Senate.

CHESLEY, Chairman.

Bill read first time.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 93, to be entitled "An act to amend article 2266, chapter 4, title 38, of the Revised Civil Statutes," have considered the same, and have instructed me to report it back to the Senate, with the recommendation that it do pass.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 105, a bill to be entitled "An act to amend article 1265, subdivision 7, of the Revised Civil Statutes," have considered the same, and instructed me to report it back to the Senate with the recommendation that it do pass.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 63, a bill to be entitled "An act to prescribe a mode for designating a homestead," have considered the same and instructed me to report it back to the Senate and ask that one hundred copies of the same be printed for the use of the Senate.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 69, to be entitled "An act to amend section 1, article 3602,

chapter 10, title 71 of the Revised Civil Statutes, as amended by an act approved May 4, A. D. 1882," have considered the same, and instruct me to report it back to the Senate, and ask that one hundred copies of the same be printed for the use of the Senate.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 95, to be entitled "An act to amend article 2349, chapter 3, title 42, Revised Civil Statutes, have considered the same, and instructed me to report it back to the Senate with the recommendation that it do not pass.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 77, and the substitute therefor, to be entitled "An act to amend article 2257, chapter 4, title 38, of the Revised Civil Statutes," have considered the same, and have instructed me to report it back to the Senate, with the recommendation that in lieu of the bill and substitute, the following committee substitute be enacted.

An Act creating, establishing and directing the laying out certain roads as first class roads:

SECTION 1. Be it enacted by the Legislature of the State of Texas, that it shall be the duty of the county commissioners' court of each county in this State, where a road or roads leading from the county seat of one county to the county seat of an adjoining county, if but one road, to select such as a first class road, and where there is more than one road, to select the one that is the nearest and most practicable route to travel, and declare the same a first class road; and when so selected it shall be maintained and kept up as such.

SEC. 2. It shall be the duty of the commissioners' court of any organized county, at its first regular term after the passage of this act, when there is no public road from their county seat to the county seat of an adjoining county, to establish and cause one first class road to be kept up from their county seat to the county line of their county over the nearest and most practicable route in the direction of the county seat of said adjoining county, and it shall not be within the power of the commissioners' court, after such road has been so designated and laid out as set forth in this and the preceding section, to change the class or make any change in such road except such as the good of the public may demand.

SEC. 3. Where such roads as are hereinbefore directed, to be established as first class roads, pass through enclosed lands, the owner of such enclosure or lands shall have twelve months from the passage of this act, or from the laying out of such new road, within which time to remove such enclosure from such road.

TERRELL, Chairman.

Bill read first time with committee substitute.

On motion of Senator Martin, 100 copies of the above bills were ordered printed, in compliance with the request of the committee.

Senator Patton, Chairman of Committee on State Affairs submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, January 19, 1883

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 5, entitled "An act amending article 186, of the Penal Code," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

PATTON, Acting Chairman.

COMMITTEE ROOM,  
AUSTIN, January 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred Senate bill No. 97, entitled "An act amendatory of article 377 of the second section of an act entitled 'an act to adopt a Penal Code and Code of Criminal Procedure of the State of Texas,'" have carefully examined the same, and instruct me to report the same back with the recommendation that it do not pass.

PATTON, Acting Chairman.

COMMITTEE ROOM,  
AUSTIN, January 19, 1883.

Hon. Marion Martin, President of the Senate:

A majority of your Judiciary Committee No. 2, to whom was referred Senate bill No. 101, entitled "An act to amend article 797,

chapter 17, title 18 of the Penal Code," have carefully examined the same, and instruct me to report the same back with the recommendation that that it do pass.

PATTON Acting Chairman.  
COMMITTEE ROOM,  
AUSTIN, January 19, 1883.

Hon. Marion Martin, President of the Senate:

A majority of your Judiciary Committee No. 2, to whom was referred Senate bill No. 27, entitled "An act to amend article 1223 of the Revised Civil Statutes of the State of Texas," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

PATTON, Acting Chairman.

Senator Martin, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, January 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 39, being "An act to amend articles 314 and 315, chapter 3, title 9, of the Penal Code of the State of Texas," and instruct me to report that they find said bill correctly engrossed.

MARTIN, Chairman.

Senator Perry, chairman of Committee on Bridges and Roads, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Roads and Bridges, to whom was referred Senate bill No. 31, entitled "An act creating, establishing and directing the laying out certain roads as first class roads, and fixing a penalty for obstructing the same," have had the same under consideration, and instruct me to report the same back with the accompanying amendment, and ask that the amendment be adopted as a substitute for the original bill, and that it do pass.

An Act to amend article 2257, chapter 4, title 38, Revised Civil Statutes.

Be it enacted by the Legislature of the State of Texas: That article 2257, chapter 4, Title 38, shall be so amended as to hereafter read as follows:

Article 2257. Every instrument of writing which is permitted or required by law to be recorded in the office of the clerk of the county court, and which has been or may be so recorded after being proven or acknowledged in the manner provided by the laws in force at the time of its registration, shall be admitted as evidence without the necessity of proving its execution; provided, that the party who wishes to give it in evidence shall file the same among the papers of the suit in which he proposes to use it, at least three days before the commencement of the trial of such suit, and give notice of such filing to the opposite party or his attorney of record; and unless such opposite party, or some other person for him, shall, before the trial of the cause, file an affidavit stating that he believes such instrument of writing to be forged. And whenever any party to a suit shall file among the papers of the cause an affidavit stating that any instrument of writing, recorded as aforesaid, has been lost, or that he cannot procure the original, a certified copy of the record of any such instrument shall be admitted in like manner as the original could be.

PERRY, Chairman.

Bill read first time.

Senator Matlock, chairman of Committee on Public Lands, by instruction of said committee introduced the following resolution:

*Resolved*, That the Senate have printed for the use of the Senate one hundred copies of each of the following bills:

Senate bill No. 44, "An act to provide for leasing the unorganized county school lands."

Senate bill No. 45, "An act to give to each unorganized county of this State a county surveyor."

Senate bill No. 67, "An act making provision for the sale, settlement and improvement of the public school lands."

Resolution adopted and bills ordered printed.

Senator Houston, for Senator Johnston of Shelby, chairman of Committee on Penitentiaries, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, January 18, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Penitentiaries instruct me to report that, on account of the great length and importance of Senate bill No. 15,

which is a bill the object of which is to establish a reformatory farm for convicts of certain ages, that said bill should be printed, and that 100 copies of said bill be printed for the use of the Senate and your committee.

JOHNSTON, Chairman.

Bill read first time.

On motion of Senator Houston, 100 copies of Senate bill No. 15 was ordered printed, according to request of committee.

On motion of Senator Chesley, 100 copies of Senate bill No. 85, a bill to be entitled "An act to amend articles 1700, 1702, 1705, 1709 and 1710, of chapter 5, title 34, of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed February 21, 1879," were ordered printed.

Senator Davis offered the following resolution:

*Resolved*, That the President of the Senate appoint a committee of three to investigate the books and records of the Comptroller's office in reference to the common school bonds issued May 13, 1865, under the act of November 15, 1864, amounting to \$320,367.18, and ascertain the status of such bonds, and what credits, if any, the school fund should be allowed thereon, and report the facts to the Committee on Education as soon as practicable.

Senator Terrell offered the following amendment: Add "All other facts connected with the loan or investment thereof, and payments, both of interest and principal." Amendment accepted, and resolution adopted.

The President appointed on said committee Senators Davis, Fleming and Shannon.

Senator Farrar introduced a joint resolution granting the Hon. R. C. Beale, county judge of Navarro county, leave of absence from the State. Referred to Judiciary Committee No. 1.

Senator Collins introduced a joint resolution requesting Senators and Representatives in Congress to perfect some treaty with the government of Mexico for the prevention of epidemic diseases on the border of the two republics. Referred to Committee on Public Health.

Senator Johnson of Collin introduced a bill entitled "An act repealing sections 2, 3, 4, 5 and 6 of chapter 78, of the general laws of 1879, entitled 'an act to make an appropriation for the propagation and preservation of fish, and to build fish-ways and fish-ladders, and to authorize the governor to appoint a fish commissioner, and to repeal all laws in conflict therewith.'" Referred to Committee on Retrenchment and Reform.

Senator Matlock introduced the following bill: "An act to amend 'an act to protect mechanics, laborers and operatives on railroads against the failure of owners, contractors and sub-contractors or agents, to pay their wages when due, and to provide a lien for such wages,' approved February 18, 1879, by adding thereto section 3."

Also, a joint resolution granting leave of absence to H. L. Melvin, county judge of Baylor county, and J. H. Barurse, county judge of Wichita county, for a period of sixty days, during the year of 1883. Referred to Judiciary Committee No. 2.

On motion of Senator Harris, Senator King was excused for absence at roll call this morning.

Senate went into executive session.

(In Senate.)

President pro tem. in the chair.

On motion of Senator Patton, the Secretary of the Senate was authorized to inform the Governor that the Senate advises and consents to the appointment made by him in his message of yesterday, and that the same be printed in the journal of the Senate.

Senator Patton, by request and by unanimous consent, introduced a bill entitled "An act to reduce into one and amend 'an act entitled an act to incorporate Herman's

University,' approved January 27, 1844, and 'an act entitled an act to incorporate Herman's Seminary,' approved February 11, 1860." Referred to Judiciary Committee No. 1.

Senator Terrell introduced a bill entitled "An act to amend 'an act to set aside the public lands embraced within the territorial limits of the county of Greer to educational purposes and for the payment of the public debt,' approved February 25, 1879." Referred to Committee on Public Lands.

The President laid before the Senate a substitute for House bills Nos. 8 and 18, entitled "An act to withdraw the public lands of the State of Texas from sale." Bill read second time with report and committee amendment.

Senator Harris asked for a division, and that the two parts of the amendment be acted on separately.

Senator Shannon moved to postpone bill and make it the special order on Tuesday, just after the morning call.

Senator Traylor moved to amend the amendment by substituting to-morrow for Tuesday. Amendment accepted.

Senator Chesley moved to lay amendment on the table. Ruled out of order.

Senator Shannon withdrew the motion to postpone.

Senator Chesley renewed his motion to lay committee amendment on the table.

Motion to lay on the table withdrawn temporarily, at request of Senator Terrell.

Senator Harris renewed Senator Chesley's motion to lay on the table.

Motion to lay on the table carried by the following vote:

## YEAS—17.

Chesley,	King,	Pope,
Farrar,	Kleberg,	Randolph,
Getzendaner,	Martin,	Stratton,
Harris,	Patton,	Terrell,
Johnson of Collin,	Perry,	Traylor.
Jones,	Pfeuffer,	

## NAYS—11.

Buchanan,	Fleming,	Matlock,
Collins,	Fowler,	Peacock,
Davis,	Gibbs,	Shannon.
Evans,	Houston,	

Senator Terrell moved to reconsider the vote by which the committee amendment was tabled.

Motion to reconsider withdrawn.

Senator Matlock offered the following amendment: Amend by striking out all of section 1, after the word "reserved," in line 27, and add the following: "For the purposes for which said land was originally set apart and designated by said act, until the Legislature shall otherwise provide." Amendment adopted, and bill passed to third reading.

On motion of Senator Chesley, the rules were suspended, to put the bill on its final passage, by the following vote:

## YEAS—28.

Buchanan,	Harris,	Peacock,
Chesley,	Houston,	Perry,
Collins,	Johnson of Collin,	Pfeuffer,
Davis,	Jones,	Pope,
Evans,	King,	Randolph,
Farrar,	Kleberg,	Shannon,
Fleming,	Martin,	Stratton,
Fowler,	Matlock,	Terrell,
Getzendaner,	Patton,	Traylor.
Gibbs,		

## NAYS—none.

Bill read third time and passed by the following vote:

## YEAS—28.

Buchanan,	Harris,	Peacock,
Chesley,	Houston,	Perry,
Collins,	Johnson of Collin,	Pfeuffer,
Davis,	Jones,	Pope,
Evans,	King,	Randolph,

Farrar,  
Fleming,  
Fowler,  
Getzendaner,  
Gibbs,

Kleberg,  
Martin,  
Matlock,  
Patton,

Shannon,  
Stratton,  
Terrell,  
Traylor.

## NAYS—none.

Senate bill No. 48, "An act to amend article 755 of the Code of Criminal Procedure, of evidence in criminal actions," was taken up in its regular order, with unfavorable report of committee. Read second time.

On motion of Senator Shannon, the report of committee was adopted and bill lost.

The President laid before the Senate Senate bill No. 50, a bill amending article 317 of chapter 3, title 9, of the Penal Code. Bill read second time.

Senator Chesley offered the following amendment: amend by adding, "not less than ten dollars." Adopted by the following vote:

## NAYS—17.

Buchanan,	Fleming,	Matlock,
Chesley,	Fowler,	Perry,
Collins,	Getzendaner,	Pfeuffer,
Davis,	Gibbs,	Terrell,
Evans,	Harris,	Traylor.
Farrar,	Johnson of Collin,	

## NAYS—11.

Houston,	Martin,	Randolph,
Jones,	Patton,	Shannon,
King,	Peacock,	Stratton.
Kleberg,	Pope,	

Senator Davis offered the following amendment: Strike out "in, along or across any public road."

Senator Chesley offered the following substitute for amendment of Senator Davis: Amend by inserting after the words "public lands" "or near any private residence." Lost.

Senator Davis offered the following amendment to his first amendment: "Unless the rider is going after a doctor or on other urgent business." Accepted, and amendment as amended lost. The bill was ordered engrossed.

Senate bill No. 56, "An act to amend article 1083 of the Code of Criminal Procedure of the State of Texas," was taken up in its regular order. Bill read second time and ordered engrossed.

Senate bill No. 57, "An act to amend article 699, title 8, chapter 5, of the Code of Criminal Procedure of the State of Texas," was taken up in its regular order.

Bill with unfavorable committee report read second time.

On motion of Senator Pfeuffer the committee report was accepted and bill lost.

The President laid before the Senate Senate bill No. 58, "An act amending article 4000 of Revised Civil Statutes." Bill read second time and ordered engrossed.

Senate bill No. 60, "An act to amend article 4574, chapter 3, of title 93 of Revised Civil Statutes," was taken up in its regular order, read second time, committee amendment adopted, and bill ordered engrossed.

Senate bill No. 61, "An act to restore to and to confer upon the county court of Parker county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and general statutes of the State, and to conform the jurisdiction of said court to such change," was taken up and read second time, with committee amendments.

First committee amendment adopted.

Second committee amendment adopted.

Bill ordered engrossed.

Senator Terrell, by unanimous consent, submitted the following report:

COMMITTEE ROOM,  
AUSTIN, January 19, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 1, have considered the same, and instruct me to report it back with the accompanying substitute, with recommendation that the substitute do pass.

The object of the bill is to throw farther restrictions around the laws permitting incorporations for private enterprise. As the law now stands, it is believed it affords facilities for committing fraud, and should be amended.

TERRELL, Chairman.

Bill read first time.

Senator Matlock offered the following resolution, by unanimous consent:

*Resolved*, That all bills reported favorably to the Senate shall be printed and a copy of each placed on each desk for the use of the members of the Senate.

Senator Harris offered the following amendment: Add "committee substitutes and reports of committees, and provide for the printing of fifty copies." Accepted by Senator Matlock, and resolution adopted.

Senator Patton moved to adjourn till to-morrow morning at 10 o'clock.

Senator Davis moved to adjourn till Monday morning at 10 o'clock.

Senator Davis' motion was adopted, and Senate adjourned till Monday morning at 10 o'clock.

ELEVENTH DAY.

SENATE CHAMBER,  
AUSTIN, TEXAS, January 22, 1883. }

Senate met pursuant to adjournment. Lieutenant-Governor Martin in the chair.

Roll of Senate called. Quorum present.

Prayer by the Chaplain.

On motion of Senator Pope, the reading of the journals of Friday was dispensed with.

On motion of Senator Kleberg, Senator Fowler was excused for the day on account of important business.

On motion of Senator Pope, the Second Assistant Secretary, W. M. Hunter, was excused on account of sickness.

Senator Stratton presented a petition signed by citizens of Matagorda county, praying for better protection of fish and oysters. Referred to Committee on State Affairs.

Senator Fleming presented a petition from certain counties west and north of Mitchell county, praying to be attached to Mitchell county for land purposes, etc. Referred to Committee on Public Lands.

Senator Traylor presented a petition of citizens of Mineral Wells, Palo Pinto county, asking for the location of a branch of the Lunatic Asylum at Mineral Wells. Referred to Committee on Lunatic Asylums.

Senator Collins presented certain claims of Peter Tomlinson against the State of Texas. Referred to Committee on Public Debt.

Senator Terrell presented a memorial of Jas. B. Smith, asking relief on account of loss in building of temporary Capitol. Referred to Committee on Public Buildings and Grounds.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following reports:

COMMITTEE ROOM,  
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 113, "An act to further regulate the creation and proceedings of private corporations, by amending articles 566 and 570 of the Revised Statutes and making an additional article, to be known as article 574a," have considered the same and instruct me to report it back

to the Senate with the recommendation that in lieu of its adoption that of the accompanying substitute.

TERRELL, Chairman.

COMMITTEE SUBSTITUTE.

An act to further regulate the creation and proceedings of private corporations, by amending articles 566 and 570 of the Revised Statutes, and making an additional article, to be known as article 574a.

Article 566. Be it enacted by the Legislature of the State of Texas, that corporations may be formed for the following purposes:

1. The support of public worship.
2. The support of any benevolent, charitable, educational or missionary undertaking.
3. The support of any literary or scientific undertaking, the maintenance of a library, or the promotion of painting, music or other fine arts.
4. The encouragement of agriculture and horticulture.
5. The maintenance of public parks, and of facilities for skating and other innocent sports.
6. The maintenance of a public or private cemetery.
7. The purchase and sub-division of lands, in towns or cities, into lots, and the sale of the same.
8. The construction and maintenance of roads and bridges in connection therewith.
9. The construction and maintenance of a bridge.
10. The construction and maintenance of a telegraph line.
11. The establishment and maintenance of a ferry.
12. The establishment and maintenance of a line of stages.
13. The building and navigation of steamboats, and the carriage of persons and property thereon.
14. The supply of water to the public.
15. The manufacture and supply of gas, or the supply of light or heat to the public by any other means.
16. The transaction of any manufacturing, mining, mechanical or chemical business.
17. The transaction of a printing and publishing business.
18. The establishment and maintenance of a hotel.
19. The erection of buildings, and the accumulation and loan of or investment of funds for the purchase of real property in towns or cities.
20. The improvement of the breed of domestic animals.
21. The transportation of goods, wares and merchandise, or any valuable thing.
22. The promotion of immigration.
23. The construction and maintenance of sewers.
24. The construction and maintenance of a street railway.
25. The erection and maintenance of market houses and market places.
26. The construction and maintenance of canals for the purpose of irrigation, manufacturing or commercial purposes.

Article 570. The existence of a corporation shall date from the filing of the charter in the office of the Secretary of State; and the certificate of the Secretary of State shall be evidence of such filing; provided, that no such filing shall be permitted, or certificate given, unless the charter has been submitted to and approved by the Attorney-General of the State, as being within the purview of this act.

Art. 574a. Every private corporation shall, at its place of business, have a sign, and shall indicate and show thereon, and upon its letter heads, circulars and other advertisements, that it is a corporation, and the amount of its capital stock; and the failure to comply with the provisions of this article shall be cause for the forfeiture of the charter of such corporation.

Bill read first time, with committee substitute.

COMMITTEE ROOM,  
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 2, have considered the same and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do not pass. The object of the bill is to compel all actions for the recovery of real property to be brought within twenty-two years after descent cast or the beginning of adverse possession, without reference to the defense of coverture or infancy.

TERRELL, Chairman.

Bill read first time.

COMMITTEE ROOM,  
AUSTIN, January 20, 1883.

Hon. Marion Martin, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 107, entitled "An act to amend articles 1005, 1006, 1007, 1008 and 1009, Revised Statutes, have considered the same, and in-